

REMARKS

Claims 1-43 are pending in the application. Claims 1, 6-9, 11-14, 17-22, 24, 31, and 33-43 are canceled herein. Claims 2-4, 15, 16, 23, 25-27, and 30 are amended herein.

On page 2 of the Office Action, the Examiner objects to the abstract of disclosure for exceeding 150 words. Accordingly, Applicant has amended the Abstract to comply with this limitation.

Also on page 2, the Examiner objects to claim 15 for improper dependent form. Claim 15, as amended herein, obviates this objection.

On page 8 of the Office Action, claims 1-43 are provisionally rejected under the judicially created doctrine of double patenting. Specifically, claims 1-43 are deemed unpatentable over claims 1-43 of co-pending U.S. Patent Application No. 09/930,394. To cure the double patenting rejection, Applicant submits, concurrently with this response, a Terminal Disclaimer to Obviate a Double Patenting Rejection Under 37 CFR §1.321(c).

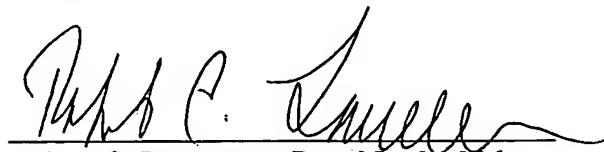
In view of the Terminal Disclaimer, Applicant believes that claims 2-5, 10, 15, 16, 23, 25-30, and 32, none of which stand rejected under §102(e) or §103(a), would be allowable if rewritten in proper form, where required. Accordingly, claim 2 has been rewritten in independent form, including all the limitations of canceled claim 1. The remaining claims in this group all depend from amended claim 2, and have either been amended to include limitations of canceled, intervening claims, or have been left in their original form.

The remaining claims 1, 6-9, 11-14, 17-22, 24, 31, and 33-43 have been canceled.

In view of the above, Applicant believes that this application is in condition for allowance. The Examiner is therefore requested to allow the amended listing of claims and pass this application to issuance.

Applicant believes no other fees are due in connection with this response. If any additional fees are in fact due, the Commissioner is hereby authorized to charge Howrey Deposit Account No. 08-3038 for the same referencing Howrey Dkt. No. 04813.0026.NPUS00.

Respectfully submitted,



Robert C. Laurenson, Reg. No. 34,206

Dated: December 3, 2003

HOWREY SIMON ARNOLD & WHITE, LLP
301 Ravenswood Avenue
Box No. 34
Menlo Park, CA 94025
Fax No. (650) 463-8400
Telephone No. (949) 759-5219